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March 1, 2016

Louisiana Ethics Administration Program  
P.O. Box 4368  
Baton Rouge, LA 70821

RE: Request for Advisory Opinion: Hammond  
Fire Department Chief – Liberty Mutual Fire  
Mark Award

Dear Members of the Board:

I am the Hammond City Attorney. Please accept this request for an advisory opinion from your office on behalf of the City of Hammond.

This request regards the potential receipt of a grant by the Hammond Fire Department and a trip to New York City for the current Hammond Fire Chief. Chief John Thomas of the City of Hammond Fire Department was nominated to be chosen as an annual Liberty Mutual Fire Mark Award recipient. After nomination, Chief Thomas has since become one of the nationwide finalists for the community service award. Liberty Mutual Insurance sponsors this award. Liberty Mutual selects the winners and will notify them in Spring 2016. The winner of this award will be recognized and receive a \$10,000 grant to his fire department and an expense-paid trip to New York City for the winner and three guests. To date, we do not know if Chief Thomas will be chosen for the award.

Our question and request for an advisory opinion centers on these two prizes as part of the Fire Mark Award and whether the Hammond Fire Department and Chief Thomas may accept these prizes should Chief Thomas be selected. We have reviewed the Louisiana Administrative Code on Ethics and multiple advisory opinions issued by this office in addition to Hammond's own ethics and conflicts of interest provisions to aid in our advice to Chief Thomas and the City of Hammond. It is our belief and hope that acceptance of these gifts would not violate the Code of Ethics for the reasons as set forth below. In an abundance of caution we respectfully submit this request for your guidance and affirmation in this matter.



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RECEIVED  
CITY OF HAMMOND  
MAR 1 2016

March 1, 2016  
Louisiana Ethics Administration Program  
Advisory Opinion Request re: Fire Mark Award

First, we want to inform the Board that Liberty Mutual Insurance has not done business or otherwise worked with the City of Hammond or its Fire Department and has not submitted any bids with the City of Hammond or its Fire Department in the past or present, and the City and Fire Department are not aware of any potential future bids or solicitation from Liberty Mutual Insurance. Further, should Liberty Mutual Insurance ever solicit a bid with the City of Hammond or its Fire Department, Chief Thomas would not have any involvement in the bid and/or decision-making process.

Second, the recipient of the award is chosen for their actions and dedication in giving back to their communities beyond their daily responsibilities as a firefighter. A brief description of the award and criteria of the winners is provided at [www.libertymutual.com/firemark-award](http://www.libertymutual.com/firemark-award). We have attached a printed copy of the website along with the nomination form and guidelines/official rules. For clarity, there are two Fire Mark Awards that will be given. One is for exceptional acts of heroism and the other is for community service. Chief John Thomas is up for the community service award. Chief Thomas was nominated by Dawson Primes, Director of Tangipahoa Parish Homeland Security. Attached is a narrative Mr. Primes supplied in conjunction with the nomination form. Much of the community service work performed by Chief Thomas cited in the narrative forming the basis for his nomination occurred before he was named Chief of the Fire Department (but still was a member of the Fire Department).

It would be a great honor for Chief Thomas to receive this award and accept the prizes on behalf of the City of Hammond and Hammond Fire Department. We hope that the Board finds no conflict of interest or other ethical issue in connection with this award due to the fact that Liberty Mutual does not work with the City of Hammond and because the award is for actions performed beyond the scope of Chief Thomas' duties as a member of the fire department and its Chief. Chief Thomas would not be receiving something of economic value for the performance of official duties and responsibilities or service substantially related to public duties or which draws on non-public information. Further, as to the \$10,000 grant, Chief Thomas is not the recipient of that amount; rather, the money is provided to the fire department as a whole.

If you have any questions concerning this request or require additional information, please do not hesitate to contact me.

Very truly yours,



Andre G. Coudrain

/agc



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## Liberty Mutual Firemark Award

Recognizing local firefighters for valor and exceptional service.



Liberty Mutual is proud to support and celebrate all of the firefighters across the country who keep our friends, families and homes safe every day. That is why we created our Firemark Award program.

Every year we offer the Firemark Award for two categories that honor different aspects of the valor and selfless spirit demonstrated by firefighters who go beyond the call of duty to keep our communities safe.

### Local Firemark Awards

- **Firemark Award for Community Service & Education:** recognizes local firefighters who have given back to their communities beyond their daily responsibilities.
- **Firemark Award for Heroism:** recognizes local firefighters who assisted in a life-saving effort without regard for their own personal safety.

### National Firemark Awards

Two winners are selected every year from each category for the National Firemark Awards by our expert panel. The winning firefighters will receive a \$10,000 donation to their fire department and a trip for four to New York City.

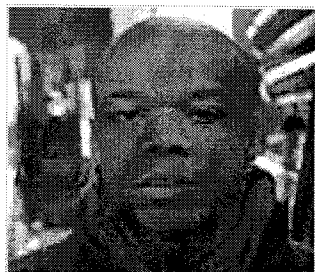
2014 Winner: Lyle Dorschied

Lyle Dorschied is president of the La Farge Fire Department in La Farge, WI and has been a member of the department for over 40 years. He is the winner of the 2014 National Firemark Award for Community Service & Education.



2014 Winner: Jordan Sullivan

Jordan Sullivan is a member of the New York City Fire Department in New York, NY. He is the winner of the 2014 National Firemark Award for Heroism.



### Nominate a Firefighter

If you know a firefighter that best represents their community through their



courageous acts and demonstrations of a firefighter's selfless spirit you can nominate them for the Liberty Mutual Insurance Firemark Award.

Fill out a nomination form and a Liberty Mutual Insurance representative will contact you and the local fire department in which the firefighter serves.

### **Firemark Award Guidelines**

Learn more about the details of the Liberty Mutual Firemark Awards.



## **Liberty Mutual Firemark Award**

### **Award Nomination Form**

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## Firemark Award Nomination Form

Fill out a nomination form today.



If you know a firefighter who has gone beyond the call of duty to make your community safer, nominate them for a Liberty Mutual Firemark Award.

There are two types of National Firemark Awards that we present to firefighters across the country every spring:

**The Firemark Award for Heroism:** This award is given to a firefighter who demonstrates exceptional heroism.

**The Firemark Award for Community Service:** This award is given to a firefighter who demonstrates a commitment to serving their community.

Fill out the form below to nominate a local firefighter for a Firemark Award. Nominations are open from January 1, 2016, through December 31, 2016. After the nominations are reviewed by an expert panel, they will select two winners, one from each category. The winning firefighters will receive a \$10,000 donation to their fire department and a trip for four to New York City. For more information read our **Firemark Award Guidelines**.

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## Nominated Firefighter

All fields are required unless noted.

**First Name**

**Last Name**

**Department Name**

**Address**

**City**

**State**

Select a State...

**ZIP Code**

ZIP Code

OPTIONAL:

**Title**

**Email address**

Example: myname@email.com



OPTIONAL:

**If multiple firefighters are being nominated, please describe**

OPTIONAL:

**Nomination Type**

- ☒ Heroism Award  
☐ Community Service & Public Education Award

**Type of Rescue**

OPTIONAL:

**Did it involve a life threatening event?**

- ☐ Yes ☒ No

OPTIONAL:

**Were there any fatalities?**

- ☐ Yes ☒ No

OPTIONAL:

**Was a firefighter injured?**

- ☐ Yes ☒ No

OPTIONAL:

**Describe the Incident**

Please supply as much information as possible about the nominee and why he/she is deserving of a Firemark Award

OPTIONAL:

**Is there a newspaper article about the story?**

- ☐ Yes ☒ No

OPTIONAL:

**Did the incident make the local news?**

- ☐ Yes ☒ No

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## Nominator Information

**First Name****Last Name**

**Contact Email address**

Example: myname@email.com

**Confirm Email address****Relation to Nominee****How did you hear about the  
Firemark Award?**

Select...

- ☐ By submitting this nomination, I agree to be bound by the **Firemark Award Guidelines** set forth for this program.

**Submit****Liberty Mutual Firemark Award****Award Nomination Form****Give us your feedback**

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# Firemark Award Guidelines

## OFFICIAL RULES

**NO PURCHASE OR PAYMENT OF ANY KIND IS NECESSARY TO ENTER OR WIN THIS CONTEST. OPEN ONLY TO LEGAL RESIDENTS OF THE FIFTY (50) UNITED STATES AND D.C., AGE 18 OR OLDER. VOID WHERE PROHIBITED. U.S. LAW GOVERNS THIS CONTEST**

**ELIGIBILITY:** The Liberty Mutual "Firemark 2016" contest is open only to nominees that are legal residents of the fifty (50) United States and the District of Columbia who are eighteen (18) years of age or older and currently employed as a volunteer or career firefighter as of the time of entry. Employees of Liberty Mutual Insurance Company ("Sponsor"), Sponsor's parent companies, subsidiaries, affiliates, distributors and advertising, promotion and Internet agencies, and members of the immediate family or household of any such employee, are not eligible. Void where prohibited by law. All 2016 Firemark finalists must agree to participate in a one-day Liberty Mutual video shoot to visually retell their nomination stories. These videos will be used for the public voting phase which will decide the final two (2) winners.

**HOW TO NOMINATE:** The entry period for the Firemark Awards begins at 12:00 a.m. Eastern Time (ET) on January 1, 2016, and ends at 11:59 p.m. ET on December 31, 2016 (the "Entry Period"). To nominate someone for the 2016 Firemark awards, visit <http://www.libertymutual.com/firemark-award>. Follow the on-screen nomination instructions on the applicable Website to access and complete the online nomination form. The Online Nomination Form must be completed and received by 11:59 p.m. ET on December 31, 2016.

By submitting a nomination, you warrant and represent that the Submission and any words or other materials that may be incorporated therein are original and were created solely by you, that you have all rights necessary to submit the Submission

and to authorize the uses of the Submissions permitted hereunder, that the exercise by Liberty Mutual of the rights granted to it by you will not infringe upon the rights of any third party, and that no payments to or permission from any third party is required for the exercise by Liberty Mutual of the rights granted to it by you. You agree to defend, indemnify and hold harmless Liberty Mutual and its parent companies, subsidiaries, affiliates, successors, agents, assigns, and licensees, and each of their officers, directors and employees, and any and all persons who make use of the Submissions with the consent of Liberty Mutual (all of the foregoing hereinafter called "Indemnitees") from and against any and all claims, demands, damages, costs, charges, legal fees and disbursements, recoveries, judgments, penalties, expenses or losses of whatsoever kind or nature (including attorney's fees) which may be obtained against, imposed upon or suffered by the Indemnitees by reason of any breach by you of any of your warranties, representations or obligations hereunder or any claim of violation of any other rights resulting from any use made by the Indemnitees of the Submissions as permitted hereunder. By submitting a Submission, you release the Indemnitees from any and all claims and demands arising out of or in connection with use of the Submissions as authorized hereunder, including, without limitation, all claims for copyright infringement, defamation and/or violation of the right of privacy or publicity. You may not terminate or rescind the permission granted to Liberty Mutual hereunder to use the Submissions. In the event of any claim by you against Liberty Mutual, you shall be limited to your remedy at law for damages, if any, and you may not enjoin, restrain or interfere with the distribution, exhibition or exploitation of the Submissions or any Website or other production incorporating the same or the exploitation of any of Liberty Mutual's rights hereunder.

Liberty Mutual does not want to receive confidential or non-public personal information about you or others through this website. Any material, information or other communication you transmit or post to this website will be considered non-confidential and non-proprietary. You are prohibited from posting or transmitting to or from this website any unlawful, threatening, harassing, libelous, defamatory, obscene, or pornographic material, or material that would violate any law. You are prohibited from intentionally making false or misleading statements in any Submission and from including in any Submission any material that would infringe any copyright or would violate the personal or proprietary rights of any third party or any material that contains the confidential information of any third party.

**WINNER SELECTION:** Upon completion of the Online Entry Form, all submissions

("Nominees") will be subject to an expert panel that includes members from the International Association of Fire Chiefs and the National Fire Protection Association. The panel will choose one winner for each category: Community Service and Heroic. Winners will be chosen in February, and notified in the Spring.

**PRIZING:** National Firemark Award Recipients receive a \$10,000 donation to their fire departments and a trip for four to New York.

The trip to New York, New York, must be booked and completed within one year from the day the award was granted. In order to be considered for the national award, all local nominations must be submitted by, December 31 of the year in which the events took place.

The New York vacation consists of a four (4) day, three (3) night vacation package for four (4) to be fulfilled one year from the date the award was granted. The trip consists of four (4) round-trip coach-class airfares between the gateway U.S. airport nearest winner's residence (as close as is reasonably possible to the city or town in which the winner resides) and John F. Kennedy Airport; a three (3) consecutive night stay for the winner and three (3) guests at a deluxe hotel (two (2) standard rooms, with a maximum of four (4) persons per room); four (4) city tour passes (4) days and show tickets for four (4) persons. The Grand Prize does not include transportation between the winner's home and the departure airport. The winner's guests must be of legal age of majority in the jurisdiction in which the guests reside, unless the winner is a parent or legal guardian of the minor guest. The approximate retail value ("ARV") of the Grand Prize is \$4,500.00. The exact value will depend on where the winner resides, the specific prize options selected by the winner and market conditions at the time of prize fulfillment. All prize details, including seat locations and the specific trip dates and itinerary, will be determined by Liberty Mutual in its sole and absolute discretion. Travel and accommodation restrictions (including blackout dates) and other additional restrictions may apply.

**GRANT OF RIGHTS:** Entry constitutes permission for Sponsor and its parent companies, affiliates, subsidiaries, agents and licensees to use the Entrant's name, likeness, voice and/or biographical information, in perpetuity, throughout the world, in all media and formats whether now or later known or developed, for commercial purposes (including, without limitation, advertising and promotion), without further compensation, unless prohibited by law.

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**GENERAL RULES:** All nominations become the property of Sponsor and will not be verified or returned. If you are selected as a finalist, you must agree to be bound by the Official Rules and the decisions of Sponsor, which are final and binding in all respects. **CAUTION: ANY ATTEMPT TO DELIBERATELY DAMAGE ANY WEB SITE ASSOCIATED WITH THIS CONTEST OR UNDERMINE THE CONTENT OR LEGITIMATE OPERATION OF THIS CONTEST IS A VIOLATION OF CRIMINAL AND CIVIL LAW. SHOULD SUCH AN ATTEMPT BE MADE, SPONSOR**

RESERVES THE RIGHT TO SEEK DAMAGES (INCLUDING ATTORNEYS' FEES) AND OTHER REMEDIES FROM ANY PERSON OR PERSONS RESPONSIBLE FOR THE ATTEMPT TO THE FULLEST EXTENT PERMITTED BY LAW. Sponsor reserves the right, in its sole discretion, to disqualify or prohibit from participating in the Contest any individual who, in Sponsor's sole discretion, Sponsor determines or believes (i) has tampered with the entry process, or has undermined the legitimate operation of the Website or the Contest by cheating, hacking, deception or other unfair playing practices, or (ii) has engaged in conduct that annoys, abuses, threatens or harasses any other entrants or any representative of Sponsor, or (iii) has attempted or intends to attempt any of the foregoing. The use of automated devices, programs or methods to submit entries is prohibited and Sponsor reserves the right, in its sole discretion, to disqualify any entry that it believes may have been submitted using such an automated device, program or method. Sponsor reserves the right, in its sole discretion, to cancel, modify or suspend this contest should a virus, bugs, entrant fraud or misconduct, or other causes beyond the control of the Sponsor corrupt the administration, integrity, security or proper operation of the contest. In the event of termination of the Contest, a notice will be posted online and a random drawing to award the prizes will be conducted from among all eligible entries received prior to the time of termination. Entry times will be determined using Sponsor's computer, which will be the official clock for the Contest. All federal, state and local laws and regulations apply. By entering the Contest, each entrant agrees that (a) any and all disputes, claims, and causes of action arising out of or connected with the Contest, or any prizes awarded, shall be resolved individually, without resort to any form of class action; and (b) any and all claims, judgments and awards shall be limited to actual out-of-pocket costs incurred, including costs associated with entering the Contest, but in no event attorneys' fees; and (c) under no circumstances will any entrant be permitted to obtain any award for, and by entering each entrant waives all rights to claim punitive, special, incidental or consequential damages and any and all rights to have damages multiplied or otherwise increased and any other damages, other than for actual out-of-pocket expenses. All issues and questions concerning the construction, validity, interpretation and enforceability of these Official Rules, or the rights and obligations of the entrants and Sponsor in connection with the Contest, shall be governed by, and construed in accordance with the laws of the State of New York without giving effect to any choice of law or conflict of law rules or provisions that would cause the application of the laws of any jurisdiction other than the State of New York.

**WINNER'S NAME AND RULES REQUESTS:** For the name of the winner, available



after May 1, 2016, or a copy of these Official Rules, send us an e-mail with the subject line: The Liberty Mutual "Firemark 2016." Contest to **Plsponsorships@libertymutual.com**.

**SPONSOR:** Liberty Mutual Insurance Company, Boston, Massachusetts.

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Chief John Thomas is the truest example of a Selfless Community Servant. In addition to his everyday duties of overseeing the day to day operations of the largest fire department in Tangipahoa parish (county) and serves as the Hazmat Coordinator for the entire parish covering approximately 121,000 residents covering 760 square miles , Chief Thomas volunteers his off time as an instructor for the (NIMS)National Incident Management System for smaller volunteer fire depts. for ICS 300 and 400 level courses in order to assist them in becoming better prepared to respond to major incidents. He gives these classes at night and on weekends two to three times per year.

Being in an area of Louisiana prone to hurricanes, tornados and being vulnerable to train derailments, Chief Thomas recognized the need for citizens to be better prepared and he was extremely instrumental in helping to start and maintain our 180 person (CERT) Community Emergency Response Team program serving as a Citizen Corps Board member from its inception and as an instructor for the Fire Safety and Search and Rescue modules of the course. Chief Thomas volunteers his off time twice a year to train new members in a 4 week course given in the evenings. He also trains the existing CERT members in CPR with several evening courses throughout the year in order to continue their education and interest in the program.

Chief Thomas also volunteers his time as a Fire Board member for the Livingston Parish Fire Protection District # 1 in his residential community of Albany, Louisiana.